

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50442 of 2024

Arising Out of PS. Case No.-605 Year-2022 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

Sanjog Kumar Son of Late Jawahar @ Parasnath R/O Vill.- Railpar, Ram
Krishna Pangal, P.S.- South Dhadka, Dist.- Asansol (W.B.)

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ambisha Shri D/O Laxmi Narayan Lal R/O Champa Nala Road, Nath
Nagar, P.S.- Nath Nagar, Dist.- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vikram Singh, Advocate
For the Opposite Party/s	:	Md. Matloob Rab, APP
For the O.P. No.2	:	Mr. Krishna Prasad Singh, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 27-09-2024 Heard Mr. Vikram Singh, learned counsel for the

petitioner, Mr. Krishna Prasad Singh, learned senior counsel for
the O.P. No.2 and Md. Matloob Rab, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with C.A. Case No. 605 of 2022 for the offences
punishable under Sections 323 and 498(A) of the Indian Penal
Code and Section 3/4 of the D.P. Act.

3. According to prosecution case, after marriage, the
petitioner along with other co-accused persons have demanded
the dowry from the complainant and on non-fulfillment of the
same they have tortured her mentally and physically.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offence as alleged in the complaint petition. He further submits that in fact it appears from the Annexure-3 of the complaint petition that the complainant has written a letter which suggests that she was not happy with the present marriage as she was in love with someone else and for this reason she has left the house of the petitioner. He further submits that when the petitioner has filed the Matrimonial Case No. 374 of 2022 under Section 9 of the Hindu Marriage Act, 1955 then the complainant has filed the present false complaint case against the petitioner.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned



S.D.J.M., Bhagalpur in connection with C.A. Case No. 605 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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